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07-CV-05451-ORD

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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

In the Matter of the Complaint of Martin W.  
Stair, as owner of a certain 2005 Sea Ray  
Select for Exoneration from or Limitation of  
Liability,

No. **C07-5451RBL**

ORDER APPROVING STIPULATION  
FOR VALUE AND SECURITY FOR  
VESSEL, ISSUING INJUNCTION  
DIRECTING CONSOLIDATION AND  
DIRECTING ISSUANCE OF NOTICE TO  
CLAIMANTS

Plaintiff Martin W. Stair having filed his complaint for exoneration from or limitation  
of liability as owner of a 2005 Sea Ray Select pursuant to 46 U.S.C.A. § 30501, et seq. and  
rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal  
Rules of Civil Procedure,

AND the complaint having stated that the 2005 Sea Ray Select is presently located in  
Pierce County, Washington, within this District;

AND the complaint having stated that the value of the vessel and any pending freight  
at the conclusion of its voyage on August 19, 2006 is \$52,500.00 or less;

ORDER APPROVING STIPULATION FOR VALUE AND SECURITY FOR  
VESSEL, ISSUING INJUNCTION DIRECTING CONSOLIDATION AND  
DIRECTING ISSUANCE OF NOTICE TO CLAIMANTS - PAGE 1  
CAUSE NO.

335439 / 657.0001

**FORSBERG & UMLAUF, P.S.**  
ATTORNEYS AT LAW  
901 FIFTH AVENUE • SUITE 1700  
SEATTLE, WASHINGTON 98164-1039  
(206) 689-8500 • (206) 689-8501 FAX

1 AND plaintiff having deposited with the Court as security for the benefit of claimants  
2 a stipulation for value and security with guarantees not less than or equal to the amount of  
3 plaintiff's value in the 2005 Sea Ray Select and in the sum of \$52,500.00 executed by  
4 Encompass Insurance as guarantor, now

5 IT IS HEREBY ORDERED as follows:

6 1. That plaintiff's Stipulation for Value and Encompass' guarantee, deposited by  
7 plaintiff with the Court for the benefit of claimants in the sum of \$52,500.00 as security for  
8 the amount or value of plaintiff's interest in the vessel, is approved.

9 2. Further prosecution of any and all actions, suits, or proceedings already  
10 commenced, including the complaint brought by Analiese Jonez in the Superior Court of the  
11 State of Washington, County of Pierce, Cause No. 07-2-10470-0, of any nature and  
12 description whatsoever in any jurisdiction against Martin W. Stair or Jordan Stair, or against  
13 the vessel described above, except in this action, to recover damage for or in respect of any  
14 loss, damage, or injury caused by or relating to the incident described above, including any  
15 personal injury or other damage incurred or sustained by Analiese Jonez, be and are hereby  
16 restrained, stayed, and enjoined until the hearing and determination of this action.

17 3. An order shall be issued by the Clerk of this Court to all persons asserting  
18 claims arising out of, relating to, or otherwise in respect to the voyage and incident described  
19 above from which plaintiff seeks exoneration from or limitation of liability and admonishing  
20 such claimants to file their respective claims with the Clerk of the Court in writing and to  
21 serve on plaintiff's attorneys a copy of the same on or before the 29<sup>th</sup> day of October,  
22 2007 or be defaulted; and that if any claimant desires to contest plaintiff's right to exoneration  
23

1 from or limitation of liability such claimant shall file and serve on plaintiff's attorneys an  
2 answer to this complaint on or before the date set by this Court or be defaulted.

3 4. The notice described above shall be published in the Tacoma News Tribune, as  
4 provided by rule F of the Supplemental Rules for Certain Admiralty and Maritime claims and  
5 LAR 150. Copies of such notice shall also be mailed in accordance with rule F.

6 DATED this 13<sup>th</sup> day of September, 2007.

7  
8   
9 DISTRICT COURT JUDGE

10 Presented by:

11 FORSBERG & UMLAUF P.S.

12  
13 By:  WSBA #28099

14 Patrick G. Middleton, WSBA #12113  
15 John P. Hayes, WSBA #21009  
16 Paul S. Smith, WSBA #28099  
17 Attorneys for Plaintiff Martin W. Stair  
18 901 Fifth Avenue, Suite 1700  
19 Seattle, WA 98164  
20 (206) 689-8500  
21 [pmiddleton@forsberg-umlau.com](mailto:pmiddleton@forsberg-umlau.com)  
22 [jhayes@forsberg-umlau.com](mailto:jhayes@forsberg-umlau.com)  
23 [psmith@forsberg-umlau.com](mailto:psmith@forsberg-umlau.com)